

**UNITED STATES DISTRICT COURT**  
**District of New Mexico**

UNITED STATES OF AMERICA  
V.

**Judgment in a Criminal Case**

**JOSE LUIS NIETO-GUEVARA**

(For Offenses Committed On or After November 1, 1987)

**Case Number: 2:15CR03576-001RB**

USM Number: 82484-051

Defense Attorney: Gregory Garvey - AFPD

**THE DEFENDANT:**

- pleaded guilty to count(s) **Information**
- pleaded nolo contendere to count(s) which was accepted by the court.
- after a plea of not guilty was found guilty on count(s)

The defendant is adjudicated guilty of these offenses:

<i>Title and Section</i>	<i>Nature of Offense</i>	<i>Offense Ended</i>	<i>Count Number(s)</i>
8 U.S.C. Sec. 1326(a) and (b)	Reentry of a Removed Alien	09/29/2015	

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count .
- Count dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

11/17/2015

Date of Imposition of Judgment

/s/ William P. Johnson

Signature of Judge

**For:**

Honorable Robert C. Brack  
United States District Judge

Name and Title of Judge

11/25/2015

Date Signed

Defendant: **JOSE LUIS NIETO-GUEVARA**  
Case Number: **2:15CR03576-001RB**

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **50 days or time served, whichever is less.**

**The Court recommends that Immigration and Customs Enforcement begin immediate removal proceedings.  
Pursuant to section 5D1.1(c), the Court will not impose a term of supervised release.**

The court makes the following recommendations to the Bureau of Prisons:

- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
  - at on
  - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
  - before 2 p.m. on
  - as notified by the United States Marshal.
  - as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_  
at \_\_\_\_\_ with a Certified copy of this Judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

\_\_\_\_\_  
By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

Defendant: **JOSE LUIS NIETO-GUEVARA**

Case Number: **2:15CR03576-001RB**

## CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties in accordance with the schedule of payments.

The Court hereby remits the defendant's Special Penalty Assessment; the fee is waived and no payment is required.

Totals:

Assessment	Fine	Restitution
<b>\$100.00 - WAIVED</b>	<b>\$</b>	<b>\$</b>

## SCHEDULE OF PAYMENTS

Payments shall be applied in the following order (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

A  In full immediately; or

B  \$ immediately, balance due (see special instructions regarding payment of criminal monetary penalties).

**Special instructions regarding the payment of criminal monetary penalties: Criminal monetary penalties are to be made payable by cashier's check, bank or postal money order to the U.S. District Court Clerk, 333 Lomas Blvd. NW, Albuquerque, New Mexico 87102 unless otherwise noted by the court. Payments must include defendant's name, current address, case number and type of payment.**

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program, are to be made as directed by the court, the probation officer, or the United States attorney.